**IN THE HIGH COURT OF UTTARANCHAL**
**AT NAINITAL**
**ORIGINAL JURISDICTION**

Dated: Nainital: the 6th day of September 2005
Bail application no. 831 **of 2005**
**Order on the bail application of accused**

**CRIMINAL SIDE**

Dataram S/o Ridka Singh
R/o Village Markanda Sukkapur
Police Station Mandawar
District Bijnor (U.P.) …Applicant

Versus

State of Uttaranchal … Opposite Party

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Arising out of Case Crime No. 50 of 2005
Under Sections 363, 366 I.P.C.
Police Station Laksar
District Haridwar

**By the court**

**Hon'ble B.C. Kandpal, J**

The applicant has applied for bail in case crime No. 50 of 2005 Under Sections 363 and 366 I.P.C., Police Station Laksar, District Haridwar.

Heard Mahavir S. Tyagi, learned counsel for the applicant, learned A.G.A. and perused the record.

The record shows that the applicant is not named in the F.I.R. However, after the recovery of the prosecutrix, the statement under Section 161 Cr.P.C. was recorded but the prosecutrix did not name the applicant in her statement. Subsequently, the statement of the prosecutrix was recorded under Section 164 Cr.P.C. she had named the applicant in her statement. The main role in the statement under Section 161 as well as 164 Cr.P.C. has been assigned to one Sompal (non-applicant).

Considering the facts and circumstances of the case, it would be just and proper to release the applicant on bail at this stage.

Let the applicant Dataram be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M. concerned.

**(B.C. Kandpal, J.)**

06.09.2005
ASWAL